

Assembly Bill No. 2015

CHAPTER 335

An act to amend Section 466 of the Penal Code, relating to crimes.

[Approved by Governor August 31, 2002. Filed with
Secretary of State September 3, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2015, Corbett. Crimes: breaking and entering tools.

Existing law makes it a misdemeanor for any person to have upon him or her in his or her possession any specified instrument or tool with the intent to break or enter into any building, railroad car, aircraft or vessel, trailer coach, or vehicle, as defined.

This bill would add to the list of instruments or tools ceramic or porcelain spark plug chips or pieces. The bill would state the Legislature's intent to add only ceramic or porcelain spark plug chips or pieces, not other common objects such as rocks or pieces of metal, to the list of burglary tools. Because this bill would create a new crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 466 of the Penal Code is amended to read:

466. Every person having upon him or her in his or her possession a picklock, crow, keybit, crowbar, screwdriver, vise grip pliers, water-pump pliers, slidehammer, slim jim, tension bar, lock pick gun, tubular lock pick, floor-safe door puller, master key, ceramic or porcelain spark plug chips or pieces, or other instrument or tool with intent feloniously to break or enter into any building, railroad car, aircraft, or vessel, trailer coach, or vehicle as defined in the Vehicle Code, or who shall knowingly make or alter, or shall attempt to make or alter, any key or other instrument named above so that the same will fit or open the lock of a building, railroad car, aircraft, vessel, trailer coach, or vehicle as defined in the Vehicle Code, without being requested to do so by some person having the right to open the same, or who shall make, alter, or



repair any instrument or thing, knowing or having reason to believe that it is intended to be used in committing a misdemeanor or felony, is guilty of a misdemeanor. Any of the structures mentioned in Section 459 shall be deemed to be a building within the meaning of this section.

SEC. 2. It is the intent of the Legislature in enacting this measure to add only ceramic or porcelain spark plug chips or pieces, not other common objects such as rocks or pieces of metal that can be used to break windows, to the list of burglary tools in Section 466 of the Penal Code.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

